UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEC 08 2016

Hitchiner Manufacturing Company, Inc.
c/o Timothy C. Sullivan, Esq.
Vice President, Corporate Affairs and Services
594 Elm Street
Milford, New Hampshire 03055

Re: PCB Cleanup and Disposal Approval under 40 CFR § 761.61(a)
Former Drainage Basin

Dear Mr. Sullivan:

This is in response to the Hitchiner Manufacturing Company, Inc. ("Hitchiner") Notification[1] to address *PCB remediation waste* (i.e., PCB-contaminated soil) on the property located at 594 Elm Street in Milford, New Hampshire. Specifically, soil located beneath a reinforced concrete pad and asphalt in the former drainage basin area (hereinafter "the Site") contains PCBs at concentrations that exceed the allowable PCB levels for unrestricted use under the federal PCB regulations at 40 CFR § 761.61(a). Hitchiner has requested approval to clean up and dispose of the *PCB remediation waste* located at the Site under the PCB self-implementing cleanup and disposal option at 40 CFR § 761.61(a).

Hitchiner's proposed PCB cleanup and disposal plan includes the following:

- Remove overlying clean reinforced concrete pad and asphalt and clean overlying soil. Clean soil will be retained for reuse within the excavation area(s).

- Remove PCB-contaminated soil with greater than (">") 1 part per million ("ppm") to meet the *high occupancy area* PCB cleanup standard of less than or equal to ("≤") 1 ppm without further restriction.

- Dispose of PCB-contaminated soil with greater than or equal to ("≥") 50 ppm in accordance with 40 CFR § 761.61(a)(5)(i)(B)(*2*)(*iii*).

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[1] Information was submitted to satisfy the notification requirement under 40 CFR § 761.61(a). Information was provided dated December 14, 2014 (Self-Implementing Cleanup of PCBs); May 9, 2016 (Risk-based Cleanup of PCBs); October 28, 2016 (Self-Implementing Cleanup Plan PCB-Impacted Soil); November 30, 2016 (emails responding to EPA comments); December 2, 2016 (email Table 2 as revised December 2, 2016); and, December 5, 2016 (email Table 2 as revised December 5, 2016). These submittals together will be referred to as the "Notification".

- Dispose of PCB-contaminated soil with less than ("<") 50 ppm in accordance with 40 CFR § 761.61(a)(5)(i)(B)(*2*)(*ii*).

- Collect soil verification samples in accordance with 40 CFR Part 761 Subpart O to confirm PCB concentrations are ≤ 1 ppm.

The Notification meets the notification requirements at 40 CFR § 761.61(a)(3). Hitchiner may proceed with its cleanup in accordance with § 761.61(a); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval only addresses cleanup and disposal of the *PCB remediation waste* identified in the Notification. In the event that Hitchiner identifies other PCB-contaminated wastes subject to cleanup and disposal under the PCB regulations, it will be required to notify EPA and cleanup the PCB-contaminated wastes in accordance with 40 CFR Part 761 (see Approval Condition 1.)

EPA encourages the compliance with greener cleanup practices for all cleanup projects, and recommends adherence to the ASTM Standard Guide to Greener Cleanups E2893-16 (Guide) for work conducted under this Approval and the Notification. Greener cleanups are the practice of integrating options that minimize the environmental impacts of cleanup actions in order to incorporate practices that maximize environmental and human benefit. Please see Section 6 of the Guide for the Best Management Practices (BMP) Process published in May 2016 (*see* www.astm.org/Standards/E2893.htm *for additional information*). EPA encourages you to review the Guide and implement any practices that are feasible. If implemented, the PCB completion report (see Attachment 1, Condition 21) should include a section on BMP Documentation, as described in Section 6.6.5 of the Guide.

Please be aware that this Approval does not release Hitchiner from any applicable requirements of federal, state or local law, including those requirements related to groundwater monitoring or to remediation of other contaminants at the Site by the New Hampshire Department of Environmental Services ("NHDES").

Please direct questions and correspondence regarding this Approval to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

Ginny Lombardo

Ginny Lombardo, Chief
Remediation & Restoration II Branch

Attachment 1: PCB Cleanup and Disposal Conditions
Attachment 2: Notification Table 2, Excavation Plan

cc: Mike Dacey, GeoInsight
Karlee Kenison, NHDES
File

ATTACHMENT 1:

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
HITCHINER MANUFACTURING FACILITY, INC. FORMER DRAINAGE BASIN
594 ELM STREET
MILFORD, NEW HAMPSHIRE

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to *PCB remediation waste* located at the Site as identified in the Notification[2], specifically PCB-contaminated soil located within the former drainage basin (hereinafter, "the Site").

    a. In the event that Hitchiner Manufacturing Company, Inc. ("Hitchiner") identifies other PCB-contaminated wastes (PCBs not identified in the Notification) subject to cleanup and disposal under the PCB regulations, Hitchiner will be required to notify EPA and clean up the PCB-contaminated wastes in accordance with 40 CFR Part 761.

    b. Hitchiner may submit a separate plan to address the PCB contamination or may modify the Notification to incorporate cleanup of the PCBs under this Approval in accordance with Condition 16.

2. Hitchiner shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.

3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.

4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.

5. Hitchiner must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, Hitchiner shall contact EPA within 24 hours for direction on sampling and cleanup requirements.

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[2] Information was submitted to satisfy the notification requirement under 40 CFR § 761.61(a). Information was provided dated December 14, 2014 (Self-Implementing Cleanup of PCBs); May 9, 2016 (Risk-based Cleanup of PCBs); October 28, 2016 (Self-Implementing Cleanup Plan PCB-Impacted Soil); November 30, 2016 (emails responding to EPA comments); December 2, 2016 (email Table 2 as revised December 2, 2016); and, December 5, 2016 (email Table 2 as revised December 5, 2016). These submittals together will be referred to as the "Notification".

6. Hitchiner is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time Hitchiner has or receives information indicating that Hitchiner or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by Hitchiner are authorized to conduct the activities set forth in the Notification. Hitchiner is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release Hitchiner from compliance with any applicable requirements of TSCA or any other federal, state or local law; or 3) release Hitchiner from liability for, or otherwise resolve, any violations TSCA or of other federal, state or local law.

9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in 40 CFR § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from Hitchiner of its acceptance of the conditions of this Approval within 10 business days of receipt.

11. Hitchiner shall notify EPA in writing of the scheduled date of commencement of on-site activities at least 1 business day prior to conducting any work under this Approval.

12. Prior to initiating onsite work under this Approval, Hitchiner shall submit the following information:

    a. a certification signed by its selected remediation contractor, stating that the contractor has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;

    b. a contractor work plan detailing the specific methods for air monitoring, and removal, decontamination, storage, and disposal of PCB-containing wastes. Hitchiner and its remediation contractor shall incorporate any changes EPA deems necessary to comply with the conditions of this Approval and the PCB Regulations at 40 CFR Part 761; and,

c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the sample extraction, analytical and quality assurance requirements specified in the Notification and in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

13. The cleanup level for *PCB remediation waste* (i.e., soil) at the Site shall be less than or equal to ("≤") 1 part per million ("ppm") to meet the requirements for a *high occupancy area* cleanup without further restriction as specified under 40 CFR § 761.61(a)(4). See Attachment 2, *Table 2 Excavation Plan as revised December 5, 2016.*

    a. *Bulk PCB remediation waste* samples (i.e., soil) shall be collected on a bulk basis (i.e., mg/Kg) and in accordance with Subpart O. Samples shall be collected from both excavation bottoms and sidewalls.

    b. Chemical extraction for PCBs shall be conducted using methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q. PCB analytical results shall be reported on a dry-weight basis.

    c. In the event composite samples rather than discrete samples are analyzed as described in the Notification, composite samples shall be prepared using equal volumes of individual discrete samples. The composite results shall be mathematically corrected based on the number of discrete samples comprising the composite to confirm PCB concentrations are ≤ 1 ppm. If the mathematically corrected result is greater than (">") 1 ppm and/or the individual discrete samples are > 1 ppm, additional soil shall be removed and verification samples shall be collected in accordance with Subpart O to confirm PCB concentrations are less than ("<") 1 ppm.

14. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5), unless otherwise specified below:

    a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).

    b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).

    c. PCB-contaminated water generated during decontamination or dewatering shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

15. Hitchiner shall allow any authorized representative of the Administrator of the EPA to inspect the Site, to inspect records, and to take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by Hitchiner to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

16. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).

17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

18. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

19. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk to public health or the environment.

RECORDKEEPING AND REPORTING CONDITIONS

20. Hitchiner shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and the analytical sampling shall be established and maintained by Hitchiner in one centralized location until such time as EPA authorizes, in writing, an alternative disposition for such records. All records shall be made available for inspection by authorized representatives of EPA.

21. Hitchiner shall submit a final completion report to EPA in both hardcopy and electronic (e.g., CD-ROM) formats, within 60 days of completion of the activities authorized under this Approval. At a minimum this final completion report shall include: a short narrative of the cleanup and disposal activities, with photo documentation and Greener Cleanups BMP documentation, if implemented; characterization and confirmation sampling analytical results (as applicable); copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the

quantity of PCB waste disposed of and the size of the remediated area(s); copies of manifests and/or bills of lading; copies of certificates of disposal or similar certifications issued by the disposer; and an estimate of the PCB cleanup and disposal costs for work completed under this Approval.

22. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Mail Code: OSRR07-2
Boston, Massachusetts 02109-3912

23. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

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END OF ATTACHMENT 1

Table 2
EXCAVATION PLAN (REVISED)
HITCHINER MANUFACTURING CO., INC.
594 ELM STREET
MILFORD, NEW HAMPSHIRE

AREA	PLAN	SUPPORTING DATA
A	Excavate 0- 10 ft. bgs for disposal as ≥ 50 ppm remedial waste	Of 36 samples collected: 8 results ≥ 50 ppm; 7 > 50 ppm results from black silty unit and at depths from 4-9.5 ft. bgs; of 11 samples from underlying sand and gravel all <50 ppm. Six discrete soil samples will be collected from 10 ft. bgs to confirm < 50 ppm before excavating to 14 ft. bgs.
	Excavate 10- 14 ft. bgs for disposal as < 50 ppm remedial waste	Of 11 samples collected below 9.5 ft.: no results ≥ 50 ppm; black silty unit not identified below 10 ft. Subpart O confirmation sampling at excavation endpoints.
B	Excavate 0-2 ft. bgs and stockpile for on-site reuse as clean fill	Of 19 samples collected above 5 ft.: 14 results ND or ≤1 ppm; 3 results >1 one but collected at depths ≥ 4 ft.; 2 samples collected from highly disguisable black silty sand; 0-3 ft. is distinguishable gravelly sand clean fill, except at GZ-8 and GZ-11 where black silty sand identified in top 3 ft. Black silty sand will not be excavated during clean fill excavation phase. Eight discrete soil samples will be collected from 2 ft. bgs to confirm ≤ 1 ppm before using the material as clean backfill at the base of the excavation. Three discrete soil samples will also be collected from the clean soil stockpile to confirm ≤ 1 ppm. If any results are >1ppm the stockpiled soil will be disposed as a < 50 ppm waste. Excavated clean material will only be used at the base of the excavation area and will be covered by clean fill derived from off-site.
B-1	Excavate 2-10 ft. bgs for disposal as ≥ 50 ppm remedial waste	Of 24 samples collected: 2 results > 50 ppm; both > 50 ppm results from black, highly silty unit and at depths from 6.25-9 ft. bgs; of 5 samples from underlying sand and gravel all <1 ppm. Subpart O confirmation sampling at excavation endpoints.
B-2	Excavate 2-9 ft. bgs for disposal as ≥ 50 ppm remedial waste	Of 15 samples collected: 1 result ≥ 50 ppm; the > 50 ppm results from black silty unit and at depths from 6.4-7.25 ft. bgs; of 4 samples from underlying sand and gravel at 9-10 ft. bgs all <1 ppm. Subpart O confirmation sampling at excavation endpoints.
B (minus B-1 and B-2)	Excavate 2-9 ft. bgs for disposal as < 50 ppm remedial waste	Of 52 samples collected: no results ≥ 50 ppm; black silty unit not identified below 10 ft.; no results >1 ppm below 9 ft. bgs. Subpart O confirmation sampling at excavation endpoints.
C	Excavate 0-3 ft. bgs and stockpile for on-site reuse as clean fill	Of 8 samples collected above 5 ft.: 7 results ND or ≤1 ppm; 1 results >1 one but collected at depths ≥ 4 ft.; 0-3 ft. is distinguishable gravelly sand clean fill. Four discrete soil samples will be collected from 3 ft. bgs to confirm < 1 ppm before using the material as clean backfill at the base of the excavation. Three discrete soil samples will also be collected from the clean soil stockpile to confirm < 1 ppm. If any results are >1ppm the stockpiled soil will be disposed as a < 50 ppm waste. Excavated clean material will only be used at the base of the excavation area and will be covered by clean fill derived from off-site.
	Excavate 3-9 ft. bgs for disposal as < 50 ppm remedial waste	Of 28 samples collected: no results ≥ 50 ppm; no results >1ppm below 9 ft. bgs. Subpart O confirmation sampling at excavation endpoints.
D	Excavate 0-4 ft. bgs and stockpile for on-site reuse as clean fill	Of 4 samples collected above 5 ft.: all results ND. Four discrete soil samples will be collected from 4 ft. bgs to confirm < 1 ppm before using the material as clean backfill at the base of the excavation. Three discrete soil samples will also be collected from the clean soil stockpile to confirm < 1 ppm. If any results are >1ppm the stockpiled soil will be disposed as a < 50 ppm waste. Excavated clean material will only be used at the base of the excavation area and will be covered by clean fill derived from off-site.
	Excavate 4-9 ft. bgs for disposal as < 50 ppm remedial waste	Of 13 samples collected: all results < 50 ppm, 12 results ND; all 4 samples collected at 9-10 ft. bgs ND. Subpart O confirmation sampling at excavation endpoints.

Attachment 2.